

CP-716 8-7

PTO/SB/05 (11-00)
 09/12/01

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 36032200200

First Inventor

Gaurav MEHRA, Tejes M. DAMANIA, Rich ELLINGER, Deepak JAIN and Michael L. DUFNER

Title

METHOD AND APPARATUS FOR A BUSINESS APPLICATIONS SERVER

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CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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Date of Deposit: January 12, 2001

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John Varney
 John Varney

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
 Box Patent Application
 Washington, DC 20231

- ☒ Fee Transmittal Form (e.g. PTO/SB/17) (Total Pages
 IN DUPLICATE
 Applicant claims small entity status.
 See 37 CFR 1.27
- ☐ Specification (Total Pages
 (preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- ☒ Drawing(s) (35 USC 113) (Total Sheets - Oath or Declaration (Total Pages
 a. ☒ Newly executed (original or copy)
 b. ☐ Copy from a prior application (37 CFR 1.63(d))
 (for continuations/divisional with Box 17 completed)
 c. ☐ DELETION OF INVENTOR(S)
 Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
- ☒ Application Data Sheet. See 37 CFR 1.76 (Total Pages

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 a. ☐ Computer Readable Form (CRF)
 b. Specification Sequence Listing on:
 i. ☐ CD-ROM or CD-R (2 copies); or
 ii. ☐ paper
 c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

- ☒ Assignment Papers (cover sheet & document) (3 Pages)
- ☒ 37 CFR 3.73(b) Statement (1 Page) with a copy of the assignment (2 pages) ☒ Power of Attorney (3 Pages)
- ☐ English Translation document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
- ☐ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☒ Other Fee Determination Record (1 page) and Title Page (1 page)

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76

- ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: _____
 Examiner Group I Art Unit _____

Prior application information For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure or the accompanying continuation or divisional application and is hereby incorporated by reference. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

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or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

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|-------------------|--------------------------|-----------------------------------|------------------|
| Name | | | |
| Address | | | |
| City | State | Zip Code | |
| Country | Telephone | Fax | |
| Name (Print/Type) | Erwin J. Basinski | Registration No. (Attorney/Agent) | 34,773 |
| Signature | <i>Erwin J. Basinski</i> | Date | January 12, 2001 |

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**FEE TRANSMITTAL
FOR FY 2001**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$1370.00)

Complete if Known

| | |
|----------------------|---|
| Application Number | To Be Assigned |
| Filing Date | Herewith |
| First Named Inventor | Gaurav MEHRA, Tejas M. DAMANIA, Rich ELLINGER, Deepak JAIN and Michael L. DUFNER |
| Examiner Name | To Be Assigned |
| Group Art Unit | To Be Assigned |
| Attorney Docket No. | 360322008200 |

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

03-1952

Deposit
Account
Name

Morrison & Foerster LLP

- ☒
- Charge Any Additional Fee Required
-
- Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status
See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☒ Check ☐ Credit Card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|------------------------|----------|
| 101 | 710 | 201 | 355 | Utility filing fee | 710 |
| 106 | 320 | 206 | 160 | Design filing fee | |
| 107 | 490 | 207 | 245 | Plant filing fee | |
| 108 | 710 | 208 | 355 | Resubmitting fee | |
| 114 | 150 | 214 | 75 | Provisional filing fee | |

SUBTOTAL (1) (\$710.00)

2. EXTRA CLAIM FEES

| Total Claims | 50 | -20 | = | 30 | x | Fee from below | = | Fee Paid |
|-----------------------|----|-----|---|----|---|-------------------|---|----------|
| Independent Claims | 4 | -3 | = | 1 | x | 80.00 | = | \$80.00 |
| Multiple Dependent | | | | 0 | x | | = | \$0.00 |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|---|----------|
| 103 | 18 | 203 | 9 | Claims in excess of 20 | |
| 102 | 80 | 202 | 40 | Independent claims in excess of 3 | |
| 104 | 270 | 204 | 135 | Multiple dependent claims, if not paid | |
| 109 | 80 | 209 | 40 | *Release independent claims over original patent | |
| 110 | 18 | 210 | 9 | *Release claims in excess of 20 and over original patent | |

SUBTOTAL (2) (\$520.00)

** or number previously paid, if greater; For reissues, see above.

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|--|----------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for ex parte reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 390 | 216 | 195 | Extension for reply within second month | |
| 117 | 890 | 217 | 445 | Extension for reply within third month | |
| 118 | 1,390 | 218 | 695 | Extension for reply within fourth month | |
| 128 | 1,890 | 228 | 945 | Extension for reply within fifth month | |
| 119 | 310 | 219 | 155 | Notice of Appeal | |
| 120 | 310 | 220 | 155 | Filing a brief in support of an appeal | |
| 121 | 270 | 221 | 135 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,240 | 241 | 620 | Petition to revive - unintentional | |
| 142 | 1,240 | 242 | 620 | Utility issue fee (or resubmit) | |
| 143 | 440 | 243 | 220 | Design issue fee | |
| 144 | 600 | 244 | 300 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions of the Commissioner | |
| 123 | 50 | 123 | 50 | Petitions related to provisional applications | |
| 126 | 240 | 126 | 240 | Submission of Information Disclosure Sheet | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per properties (times number of properties) | 40.00 |
| 146 | 710 | 246 | 355 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 710 | 249 | 355 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 710 | 279 | 355 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$40.00)

SUBMITTED BY

Name (Print/Type)

Erwin J. Basinski

Registration No.
(Attorney/Agent)

34,773

Complete (if applicable)

Telephone

(415) 268-7000

Signature

Date

January 12, 2001

WARNING: Information on this form may become public. Credit card information should not
be included on this form. Provide credit card information and authorization on PTO-2038.Burden Hour Statement: This form is estimated to take 6-8 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are
required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO
THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Docket No. 360322000200

In the application of: MEHRA et al.
 Serial No.: To Be Assigned
 Filed: Herewith
 For: METHOD AND APPARATUS FOR A BUSINESS APPLICATIONS SERVER

Saba Software, Inc., a Delaware corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel *, Frame *, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From : *
 To : *
 The document was recorded in the Patent and Trademark Office at Reel *, Frame *, or for which a copy thereof is attached.
2. From : *
 To : *
 The document was recorded in the Patent and Trademark Office at Reel *, Frame *, or for which a copy thereof is attached.
3. From : *
 To : *
 The document was recorded in the Patent and Trademark Office at Reel *, Frame *, or for which a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.

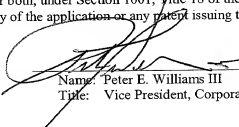
- ☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: January 10, 2001


 Name: Peter E. Williams III

Title: Vice President, Corporate Development